IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MR. JUSTICE K.PADMANABHAN NAIR

TUESDAY, THE 21ST NOVEMBER 2006 / 30TH KARTHIKA 1928

WP(C).No. 28388 of 2006(D)

PETITIONER:

MUHAMMED HANEEFA, S/O.SAINUDHEEN,
BANISH MANZIL, KATTOOR PETTA,
NARANGANAM VILLAGE, KOZHENCHERRY,
PATHANAMTHITTA DISTRICT.

BY ADV. SRI.S.MUHAMMED HANEEFF

RESPONDENTS:
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1. SUPERINTENDENT OF POLICE,
PATHANAMTHITTA DISTRICT, PATHANAMTHITTA.

2. CIRCLE INSPECTRO OF POLICE,
KOZHENCHERRY.

3. SUB INSPECTOR OF POLICE,
KOIPURAM POLICE STATION, KOIPURAM.

ADDL. 4. DISTRICT COLLECTOR, PATHANAMTHITTA.

" 5. THE REGIONAL TRANSPORT OFFICER, PATHANAMTHITTA.

(ADDL. RESPONDENTS 4 & 5 ARE IMPLEADED AS PER ORDER DATED 6.11.2006 IN W.P.(C).

BY GOVERNMENT PLEADER SRI.P.A.SALIM

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 21/11/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C)NO.28388/2006

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1: TRUE COPY OF THE RELEVANT EXTRACT OF RC PARTICULARS OF PETITIONER'S VEHICLE BEARING REG.NO.KL-7AJ 6322.

EXT.P2: TRUE COPY OF THE NOTICE ISSUED BY THE JFCM, PATHANAMTHITTA TO SI OF POLICE, KOIPURAM PS.

EXT.P3: TRUE COPY OF THE RECEIPT ISSUED BY THE 3RD RESPONDENT TO THE PETITIONER DT. 7.10.2006.

EXT.P4: TRUE COPY OF THE PRIVATE COMPLAINT FILED BY THE PETITIONER BEFORE THE CJM, PATHANAMTHITTA.

EXT.P5: TRUE COPY OF THE COMPLAINT FILED BY THE PETITIONER BEFORE THE 1ST RESPONDENT DT. 20.10.2006.

// TRUE COPY //

TKS

J.B.KOSHY & K.PADMANABHAN NAIR, JJ.

W.P.(C)NO.28388 OF 2006

Dated 21st November, 2006

JUDGMENT

Koshy,J.

The allegation of the petitioner is that Circle Inspector of Police has no authority to make an endorsement in the register that the lorry is involved in a crime. The fact that it was involved in a crime though yet to be adjudicated finally is undisputed. Therefore, we see no ground to interfere in the same in a petition under Article 226 of the Constitution of India.

The writ petition is dismissed.

J.B.KOSHY
JUDGE

K.PADMANABHAN NAIR
JUDGE

tks